

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Ryan R. Corman,

Plaintiff,

vs.

Lynne Sullivan, North Dakota State
Hospital 'Evaluator,'

Defendant.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 3:14-cv-32

Plaintiff, Ryan R. Corman, proceeding pro se and in forma pauperis, asserted claims under 42 U.S.C. § 1983 related to testimony at a hearing to civilly commit him as a sexually dangerous individual. Doc. No. 9. Magistrate Judge Alice R. Senechal initially reviewed the Plaintiff's claims pursuant to 28 U.S.C. § 1915(e)(2) and dismissed all claims except one regarding Defendant Lynne Sullivan's use of allegedly discredited actuarial risk assessment tools. Doc. Nos. 15 and 18. The claim was stayed, without consideration of the merits, because the Court determined it might be related to claims in another case in which the Plaintiff is a plaintiff. That case is Ireland v. Jones, Case No. 3:13-cv-3.

In light of the recent decisions in Karsjens v. Piper, 845 F.3d 394 (8th Cir. 2018) and Ireland, on March 9, 2020, Magistrate Judge Senechal ordered the Plaintiff to show cause why his remaining claim in this case should not be dismissed. Doc. No. 22. The Plaintiff did not respond to the order to show cause.

On April 9, 2020, Judge Senechal issued a Report and Recommendation, recommending that the Plaintiff's remaining claim be dismissed, the case be closed, and judgment be entered accordingly. Doc. No. 23. Additionally, because any appeal would be frivolous and could not be taken in good faith, Judge Senechal recommended finding any appeal may not be taken in forma

pauperis. Id. Objections to the Report and Recommendation were to be filed with the Court by April 23, 2020. No objections were received.

The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record, and finds the Report and Recommendation to be persuasive. Accordingly, the Court **ADOPTS** the Report and Recommendation (Doc. No. 23) in its entirety. The Plaintiff's claim is **DISMISSED** with prejudice, the case shall be closed, and judgment shall be entered accordingly. No relief can be granted to the Plaintiff in this action. The Court further finds that any appeal may not be taken in forma pauperis, as any appeal would be frivolous and could not be taken in good faith.

Let judgment be entered accordingly.

IT IS SO ORDERED.

Dated this 27th day of April, 2020.

/s/ Peter D. Welte
Peter D. Welte, Chief Judge
United States District Court